

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 9280

IN THE MATTER OF:

Served January 31, 2006

Application of BUSINESS LOGISTICS	)	Case No. AP-2006-002
GROUP, L.L.C., Trading as ATS,	)	
L.L.C., for a Certificate of	)	
Authority -- Irregular Route	)	
Operations	)	

By application accepted for filing January 18, 2006, Business Logistics Group, L.L.C., a Virginia entity trading as ATS, L.L.C., seeks a certificate of authority for irregular route operations in vehicles with a seating capacity of less than 16 persons only, including the driver. Applicant has also applied for temporary authority in Case No. AP-2006-003.

Applicant proposes commencing operations with nine vans. Applicant's proposed tariff contains rates for service under a contract with MV Transportation, Inc., WMATC No. 764. MV has a contract with the Washington Metropolitan Area Transit Authority (WMATA). The contract requires MV to operate a reservation system for the benefit of disabled individuals participating in WMATA's MetroAccess program and to ensure that program participants receive timely and adequate transportation service. The MetroAccess program is WMATA's means of complying with the Americans with Disabilities Act of 1990,<sup>1</sup> which in pertinent part prohibits discrimination against the disabled by public transportation providers.

Applicant's vice president and 50% owner, Spencer T. Chambliss, Jr., is also a vice president of Answers, Inc., which held WMATC Certificate No. 488 from 1999 until 2002, when it was revoked in Order No. 6831 for willful failure to comply with the Commission's insurance regulation, Regulation No. 58.<sup>2</sup> Order No. 6831 gave Answers thirty days to remove its WMATC number from its vehicle(s), file an affidavit with the Commission verifying removal, and surrender Certificate No. 488. Answers has yet to comply.

In addition Answers was assessed a \$200 civil forfeiture in 2002 for willful failure to file its annual report for 2001, as directed by Commission Order No. 6777, and to pay the \$100 annual fee

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<sup>1</sup> 42 U.S.C. § 12101, et. seq. (2003).

<sup>2</sup> In re Answers, Inc., No. MP-02-58, Order No. 6831 (Oct. 2, 2002).

for 2002, as directed by Commission Order No. 6778.<sup>3</sup> Answers has yet to comply.

The history of Certificate No. 488 has a bearing on this application because the past conduct of an applicant's owners and officers is relevant to a determination of applicant's compliance fitness.<sup>4</sup> Accordingly, the initial order in the temporary authority proceeding, Case No. AP-2006-03, directs applicant and Mr. Chambliss to furnish additional statements and documents bearing on the compliance fitness issues raised by this application, including the statement in the application that Answers is "currently engaged in contract transportation services not involving a WMATC certification."

This proceeding is hereby initiated to determine whether applicant is fit and whether the proposed transportation is consistent with the public interest.

THEREFORE, IT IS ORDERED:

1. That applicant shall publish once in a newspaper of general circulation in the Metropolitan District, no later than February 14, 2006, notice in the form prescribed by the staff of the Commission.

2. That applicant shall file with the Commission, no later than February 28, 2006, an affidavit that notice has been published as required in the preceding paragraph.

3. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing is February 28, 2006, and that copies must be served on applicant's vice president, Spencer T. Chambliss, Jr., 201 Elden Street, #203, Herndon, VA 20170.

FOR THE COMMISSION:



William S. Morrow, Jr.  
Executive Director

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<sup>3</sup> *In re Answers, Inc.*, No. MP-02-70, Order No. 6870 (Oct. 28, 2002).

<sup>4</sup> *In re People Helping Others Transp., Inc.*, No. AP-05-17, Order No. 8623 (Apr. 4, 2005).